# **Anna Armitage**

**From:** Maricarmen Perez-Vargas

**Sent:** Tuesday, November 12, 2024 10:19 AM **To:** Cates, Alexandria; Amy K. Alexander

**Cc:** Mathew Harrington; Anna Armitage; Charlotte Edwards; Laura Smith; Sarah Armon;

Bittle, Jacey; McFadden, Robert; Todaro, Anthony

**Subject:** RE: Mozilla/Teixeira - discovery responses

Attachments: Additional Terms Proposal (Moz Corp. and Individual Defs).pdf

Alex,

It's a pleasure to meet you. We request that you add the additional attached search terms to the terms you suggested below, as well as some edits to your proposed terms, to ensure all potentially relevant ESI is captured.

Regards,

Maricarmen

# Maricarmen Perez-Vargas (she/her)

Attorney, AWI-CH

Stokes Lawrence, P.S.

1420 Fifth Avenue, Suite 3000 | Seattle, WA 98101-2393

direct: 206-892-2125

Maricarmen.Perez-Vargas@stokeslaw.com | stokeslaw.com

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From: Cates, Alexandria < Alexandria. Cates@us.dlapiper.com>

Sent: Tuesday, October 15, 2024 8:16 PM

To: Amy K. Alexander < Amy. Alexander@stokeslaw.com>

Cc: Mathew Harrington < Mathew. Harrington@stokeslaw.com>; Maricarmen Perez-Vargas < Maricarmen. Perez-

Vargas@stokeslaw.com>; Anna Armitage <Anna.Armitage@stokeslaw.com>; Charlotte Edwards <charlotte.edwards@stokeslaw.com>; Laura Smith <Laura.Smith@stokeslaw.com>; Sarah Armon <sarah.armon@stokeslaw.com>; Bittle, Jacey <Jacey.Bittle@us.dlapiper.com>; McFadden, Robert <robert.mcfadden@us.dlapiper.com>; Todaro, Anthony <Anthony.Todaro@us.dlapiper.com>

Subject: RE: Mozilla/Teixeira - discovery responses

Hi Amy,

Per the terms of the ESI agreement, see below for our disclosures.

#### Custodians

- 1. Steve Texeira, Plaintiff
  - a. Emails
  - b. Google Drive

- c. Box folder
- 2. Mitchell Baker, Defendant, Former Chief Executive Officer of Mozilla Corporation, Inc.
  - a. Emails
  - b. Google Drive
  - c. Cellphone
- 3. Laura Chambers, Defendant -Current Chief Executive Officer of Mozilla Corporation, Inc.
  - a. Emails (beginning 2/6/24)
  - b. Google Drive
  - c. Cellphones (2)
- 4. Dani Chehak, Defendant Current Chief People Officer of Mozilla Corporation, Inc.
  - a. Emails
  - b. Google Drive
  - c. Cellphone

#### **Non-Custodian Data Sources**

1. Slack - given the way manner in which Slack was stored during the relevant time period, Slack data is not organized by custodian. Instead, we have a snapshot of Slack data taken on May 15, 2024. Mozilla's Slack retention policy is 6 months, so the snapshot captures all Slack data 6 months prior to the date of the snapshot.

## Third party data sources

1. Cell phone accounts for Mitchell, Laura, and Dani, as mentioned above. We are currently in the process of imaging Laura, Mitchell, and Dani's cellphones.

#### **Inaccessible Data**

1. As mentioned above, Slack data is only retained for 6 months pursuant to Company policy.

#### **Search Methodology**

- 1. In response to your RFPS, we propose to search the above-listed custodial email and google drive accounts from August 1, 2022 through the May 18, 2024, as well as all Slack data, that mention the following terms for documents:
  - a. Promot\* w/3 (President or CEO))
  - b. CEO w/10 President
  - c. CEO w/3 transition
  - d. CEO w/5 Steve
  - e. Potential w/4 succession
  - f. Replac\* w/5 CEO
  - g. Succession /4 plan\*
  - h. "SVP New Products"
  - i. "SVP Technology"
  - j. Feedback and Steve
  - k. "Performance Review" and Steve
  - l. Steve w/20 performance

Thank you, Alex

#### Alex Cates

Associate

T +1 206 839 4893

F +1 206 494 1797

M +1 425 275 6289

alexandria.cates@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

From: Cates, Alexandria

Sent: Wednesday, September 25, 2024 2:58 PM

To: Amy K. Alexander < <u>Amy.Alexander@stokeslaw.com</u>>

Cc: Mathew Harrington <a href="Mathew-Harrington@stokeslaw.com">Mathew-Harrington@stokeslaw.com</a>; Maricarmen Perez-Vargas <a href="Mathew-Harrington@stokeslaw.com">Mathew-Harrington@stokeslaw.com</a>; Mathew-Harrington@stokeslaw.com</a>; Mathew-Harrington@stokeslaw.com<

<u>Vargas@stokeslaw.com</u>>; Anna Armitage < <u>Anna.Armitage@stokeslaw.com</u>>; Charlotte Edwards < <u>charlotte.edwards@stokeslaw.com</u>>; Laura Smith < <u>Laura.Smith@stokeslaw.com</u>>; Sarah Armon < <u>sarah.armon@stokeslaw.com</u>>; Bittle, Jacey < <u>Jacey.Bittle@us.dlapiper.com</u>>; McFadden, Robert

<robert.mcfadden@us.dlapiper.com>; Todaro, Anthony < Anthony.Todaro@us.dlapiper.com>

**Subject:** RE: Mozilla/Teixeira - discovery responses

Hello Amy,

The ESI agreement specifically states that the information you are requesting below be provided within 30 days of the order. The ESI order was entered on September 16<sup>th</sup>. We will follow the order and get you the information that you are requesting within 30 days, or not later than October 16<sup>th</sup>. Given the number of individuals implicated in this case and amount of data that we are still in the process of collecting, we cannot give you all of the information you demand by tomorrow. To date, we have collected more than 750,000 emails, slack messages, and documents. We are still in the process of collecting more. Given the immense amounts of data that we have to collect and review in order to respond to your requests, this is going to take us some time.

# **Alex Cates**

Associate

T +1 206 839 4893 F +1 206 494 1797

M +1 425 275 6289

alexandria.cates@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

From: Amy K. Alexander < Amy. Alexander@stokeslaw.com>

Sent: Tuesday, September 24, 2024 9:49 AM

**To:** Cates, Alexandria < <u>Alexandria.Cates@us.dlapiper.com</u>>; Todaro, Anthony < <u>Anthony.Todaro@us.dlapiper.com</u>>

**Cc:** Mathew Harrington < <u>Mathew.Harrington@stokeslaw.com</u>>; Maricarmen Perez-Vargas < <u>Maricarmen.Perez-</u>

<u>Vargas@stokeslaw.com</u>>; Anna Armitage <<u>Anna.Armitage@stokeslaw.com</u>>; Charlotte Edwards

<charlotte.edwards@stokeslaw.com>; Laura Smith <Laura.Smith@stokeslaw.com>; Sarah Armon

<<u>sarah.armon@stokeslaw.com</u>>; Bittle, Jacey <<u>Jacey.Bittle@us.dlapiper.com</u>>; McFadden, Robert

<robert.mcfadden@us.dlapiper.com>

**Subject:** Mozilla/Teixeira - discovery responses

# **A** EXTERNAL MESSAGE

Hello Alex and Anthony,

I'm writing with some initial concerns about Defendants' responses to Plaintiff's first set of requests for production. Specifically, on RFP 3-5, Mozilla Corporation states that it will produce communications that "contain search terms agreed to by Plaintiff and Defendant." The same is true for RFP 1 to Ms. Chehak, Ms. Baker, and Ms. Chambers. These responses do not comply with the ESI Protocol, which was negotiated and agreed to nearly contemporaneously with Defendants' responses. Under our ESI Protocol, the producing party must first disclose data sources, including custodians, search terms and queries, file type and date restrictions, and other methodology used to locate responsive ESI and discoverable information, which would include the extent to which Defendants have engaged third party

vendors to locate responsive documents. Only after this disclosure might the parties meet and confer about agreed search terms.

We served discovery requests nearly two months ago. It appears that Defendants have not even begun the collection of ESI, and are improperly refusing to do so until Plaintiff provides search terms. This is contrary to the ESI Protocol. We ask that you comply with the ESI Protocol and disclose required initial information no later than Friday, September 27. Please note that Defendants are obligated not only to provide documents found via search terms, but also to locate and produce documents generally responsive to our requests, independent of search terms. At this time, MoCo has produced less than 20 pages of documents in response to our requests, and the individual defendants have produced none. When you respond with the required ESI information, please also advise when Defendants will produce additional documents.

Sincerely,

Amy Kangas Alexander (she/her)
Shareholder | Stokes Lawrence, P.S.
Seattle, Washington | (206) 892-2161 | Amy.Alexander@stokeslaw.com

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Towns Dans of Land Land Commercial	Comment	Date limitedies	C. Laite
Promot* w/3 (President or CEO)	ources △II*	8/1/2022 - Present	or Euris
CEO w/10 President	ALL	8/1/2022 - Present	
CEO w/3 transition	ALL	8/1/2022 - Present	
CEO w/5 Steve*	ALL	8/1/2022 - Present	CEO w/5 Steve*
Potential w/4 succession	ALL	8/1/2022 - Present	
Replac* w/5 CEO	ALL	8/1/2022 - Present	
Succession /4 plan*	ALL	8/1/2022 - Present	
"SVP New Products"	ALL	8/1/2022 - Present	
"SVP Technology"	ALL	8/1/2022 - Present	
Feedback and Steve	ALL	8/1/2022 - Present	Feedback AND Steve*
"Performance Review" and Steve	ALL	8/1/2022 - Present	"Performance Review" AND Steve*
Steve w/20 performance	ALL	8/1/2022 - Present	Steve* w/20 perform*
Teixeira Additional Terms Requested	Sources	Date Limitation	
Steve* AND Title	ALL	10/1/2023 - Present	
Steve* AND Change*	ALL	10/1/2023 - Present	
Steve* AND absence*	ALL	10/1/2023 - Present	
Steve* AND Employ*	ALL	10/1/2023 - Present	
Steve* AND Leave	ALL	10/1/2023 - Present	
Steve* AND Terminat*	ALL	10/1/2023 - Present	
Steve* AND Farewell	ALL	10/1/2023 - Present	
CEO AND hire*	ALL	1/1/2022 - Present	
CEO AND Succession	ALL	1/1/2022 - Present	
	SLACK (Exclude Steve as Custodian)	SLACK Limitation of 6 months prior to 5/15/2024 to Present	
	Mitchell Baker (Personal Email - mitchellbakerremix@gmail.com)	5/1/2022 - Present	
Steve* AND Teixeira	Laura Chambers (Personal Email - Ipeile@gmail.com)	5/1/2022 - Present	
	Dani Chehak (Mozilla AND Personal Email Accounts - dchehak@mozilla.com and chehaks@mac.com)	5/1/2022 - Present	
Steve* AND Eval*	ALL	None	
Steve* AND Cancer	ALL	9/1/2023 - Present	
Steve* AND diagnos*	ALL	9/1/2023 - Present	
Steve* AND AI	ALL	1/1/2022 - Present	
Steve* AND artificial intelligence:	ALL	1/1/2022 - Present	
Steve* AND melanoma Steve* AND treat*	ALL ALL	9/1/2023 - Present 9/1/2023 - Present	
Steve* AND surgery	ALL	9/1/2023 - Present	
Steve* AND performance	ALL	8/1/2022 - Present	
Steve* AND FMLA	ALL	9/1/2023 - Present	
Steve* AND "Caring Bridge"	ALL	9/1/2023 - Present	
Steve* AND caringbridge	ALL	9/1/2023 - Present	
Steve* AND (promot* OR President OR CEO)	ALL	8/1/2022 - Present	
Steve* AND officer	ALL	8/1/2022 - Present	
Steve* AND eye	ALL	8/1/2022 - Present	
Steve* AND Chief	ALL	8/1/2022 - Present	
Steve* AND narrative	ALL	8/1/2022 - Present	
Steve* AND layoff*	ALL	8/1/2022 - Present	
Steve* AND RIF	ALL	8/1/2022 - Present	
Steve* AND "term"	ALL	8/1/2022 - Present	
Steve AND "generative al"	ALL	8/1/2022 - Present	
Steve* AND gen al	ALL	6/1/2022 - Present 9/1/2023 - Present	
Steve* AND discriminat*	ALL	3/T/7023 - riesein	

Steve* AND complain*         ALL           Steve* AND demot*         ALL           Steve* AND borus         ALL           Steve* AND borus         ALL           Steve* AND IAP         ALL           Steve* AND IAP         ALL           Steve* AND Buleprint         ALL           Lindsey AND Leptia         ALL           Steve* AND buleprint         ALL           Lindsey AND Leyla         ALL           Steve* AND Denotry         ALL           Steve* AND Dani AND Layonne         ALL           Steve* AND Dani AND Hannah         ALL           Steve* AND Dani AND Hannah         ALL           Steve* AND Dani AND Hireside         ALL           Steve* AND Dani AND Hireside         ALL           Steve* AND Dani AND Fireside         ALL	9/1,12023 - Present 8/1/2022 - Present 8/1/2023 - Present 10/1/2023 - Present 8/1/2022 - Present
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ne	10/1/2023 - Present 8/1/2022 - Present 8/1/2022 - Present
nne	8/1/2022 - Present 8/1/2022 - Present
nne vine	8/1/2022 - Present
ле	
	8/1/2022 - Present
	9/1/2023 - Present
SIGNET AIND LIVE	9/1/2023 - Present
Steve* AND metastat* ALL	9/1/2023 - Present
Steve* AND resign* ALL	9/1/2023 - Present
Steve* AND quit* ALL	9/1/2023 - Present